

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN A. PINO,	:	No. 4:05-cv-1516
Plaintiff	:	
	:	
v.	:	Judge Jones
	:	
JUDGE THOMAS I. VANASKIE, <u>et. al</u> ,	:	
Defendants	:	

**ORDER**

**January 26, 2006**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

On January 25, 2006 this Court received Defendant John A. Pino's Petition for Preliminary Injunction ("the Motion")(doc. 11). The Motion was filed to Docket Number 4:05-cv-1516, which is the Docket Number for a terminated action by Mr. Pino against Judge Tomas I. Vanaskie, the Third Circuit Judicial Council and the United States Judicial Council. The action was deemed frivolous and the case was closed on August 24, 2005.

It appears that by way of this Motion, Mr. Pino is attempting to bring a new claim before this Court using the terminated Docket Number of his previous and closed matter. Mr. Pino is of course free to bring a new action in this Court, however, he must do so by filing any such action anew and by paying the

appropriate filing fees or filing for *in forma pauperis* status. Therefore, we must deny this Motion because it was improperly filed to a closed case. Should Plaintiff determine that he desires to file a new claim, he should be guided by what we have set forth herein.

**NOW, THEREFORE, IT IS HEREBY ORDERED:**

1. The Motion (doc. 11) is DENIED.

s/ John E. Jones III  
John E. Jones III  
United States District Judge